

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KATHERINE STEEN,

Plaintiff,

v.

Case No. 06-10626

MOSE FRANKLIN,

HONORABLE AVERN COHN

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED
IN FORMA PAUPERIS, DISMISSING COMPLAINT AS FRIVOLOUS,
AND DENYING PLAINTIFF'S APPLICATION FOR APPOINTMENT OF COUNSEL**

Plaintiff Katherine Steen (Steen), proceeding pro se, is suing Defendant Mose Franklin (Franklin).

Steen seeks to proceed in forma pauperis. She also seeks appointment of counsel. Based upon the information in Steen's Application to Proceed In Forma Pauperis, the Court, pursuant to 28 U.S.C. § 1915, grants Steen in forma pauperis status. For the reasons that follow, however, the Court shall dismiss Steen's complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2).

The screening procedures § 1915 establishes apply to complaints filed by non-prisoners and prisoners. McGore v. Wigglesworth, 114 F.3d 601, 604 (6th Cir. 1997). Section 1915(e)(2) allows the Court to dismiss a complaint at any time if it determines that the case is frivolous or malicious, that the plaintiff fails to state a claim upon which relief may be granted, or that the complaint seeks relief against a defendant who is immune from such relief. A complaint "is frivolous where it lacks an arguable basis

either in law or in fact.” Neitzke v. Williams, 490 U.S. 319, 325 (1989).

The Court has read the complaint; it is unintelligible. From what can be gleaned, Steen appears to be suing Franklin for “reparations and restitution” for Steen’s children. She also appears to seek garnishment of Franklin’s wages and federal income tax refunds. She notes in the complaint that she seeks \$25 million in damages, two houses, and a Lamborghini.

The Court can discern no claim that has an arguable basis in law. Accordingly, the Court concludes that the complaint is frivolous under 28 U.S.C. § 1915(e)(2) because it sets forth no arguable legal claim.

IT IS ORDERED that the complaint is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e)(2). Accordingly, Steen’s Application for Appointment of Counsel is DENIED AS MOOT. In light of this disposition, the Court certifies that any appeal also would be frivolous. 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated: February 21, 2006
Detroit, Michigan

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE